

Attorney Docket No. TES12102

DECLARATION AND POWER OF ATTORNEY
ORIGINAL PATENT APPLICATION

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IMPROVED SEALING METHOD AND APPARATUS
FOR OIL AND GAS WELLS

which was described and claimed in a specification filed on February 27, 2002 under United States application serial no. 10/084,986.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

United States Patent Application Serial No.09/539,184

United States Patent 6,384,389

Filed: March 30, 2000

I hereby appoint the following as my attorney and/or agent of record with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and to file, prosecute and to transact all business in connection with international applications:

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(360) 945-3411 (Washington State)

I further declare that I have reviewed and understand the contents of this Declaration and that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNED this 28th day of May, 2002.

INVENTOR:

HOMER L. SPENCER

Signature:

Homer Spencer

Residence:

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Postal Address:

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Citizenship:

United States

I HEREBY CERTIFY THAT THIS DOCUMENT AND/OR FEE IS
BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST
CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, UNITED STATES
PATENT AND TRADEMARK OFFICE, WASHINGTON, D.C.
20231 ON July 27, 2002

JOHN R. UREN
REG. No. 27,530

Attorney Docket No. TES12102

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of :
SPENCER, Homer L. :
Serial No. 10/084,986 :
Filed: February 27, 2002 :
Title: IMPROVED SEALING METHOD :
AND APPARATUS FOR OIL AND GAS :
WELLS :

STATEMENT OF STATUS AS SMALL ENTITY
IN ACCORDANCE WITH 37 C.F.R. 1.9 AND 1.27

STATEMENT OF INVENTOR: HOMER L. SPENCER

220 Pump Hill Rise S.W.
Calgary, Alberta, Canada
T2V 4C8

I, the undersigned, hereby verify that I am:

- an inventor of the above-identified invention and I qualify as an independent inventor in accordance with 37 C.F.R. 1.9(c) .
- an individual assignee/licensee/owner of exclusive/nonexclusive rights in the above-identified invention and I would be classified as an independent inventor in accordance with 37 CFR 1.9(c) if I had made the above-identified invention
- the _____ of _____ and have authority to act on behalf of said Company, that said Company qualifies as a small business concern as defined in 37 CFR 1.9(d) in that the number of employees of said Company including those of its affiliates, as defined in 37 CFR 1.9(d), does not

exceed 500 persons, and that said Company is the assignee of exclusive rights in the above-identified invention.

AND that I have not assigned, granted, conveyed, or licensed any rights in the invention except to: NONE

AND that I am under no obligation under contract or law to assign, grant, convey, or license any rights in the invention except to: NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

May 28, 2002

Date

Homer L. Spencer
HOMER L. SPENCER

I HEREBY CERTIFY THAT THIS DOCUMENT AND/OR FEE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, UNITED STATES PATENT AND TRADEMARK OFFICE, WASHINGTON, D.C. 20231 ON May 28, 2002

JOHN R. UREN
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